

Senate Resolution No. 1.

The following resolution was sent up by Senator Stone:

Should any employee elected in caucus meeting not accept employment, then the committee named in the Caucus Report is authorized to fill the place.

Read and adopted.

Session Rules.

Senator Collie made a motion to adopt the rules of the previous called session of the Forty-third Legislature.

The motion prevailed.

Executive Session.

At one o'clock p. m. Senator Martin made a motion that the Senate go into Executive Session to consider the Governor's nominations.

The motion prevailed.

The Chair instructed the Sergeant-at-Arms to clear the Chamber and lock the doors.

After Executive Session.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the following action had been taken.

Austin, Texas, August 27, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred appointments of Notaries Public in and for certain counties, State of Texas, beg leave to report that we have had same under consideration, and I, as Chairman of said Committee, am instructed to recommend that same be in all things confirmed.

MARTIN, Chairman.

Confirmed.

On motion of Senator Sanderford the Senate at 1:10 p. m. adjourned until 10 o'clock Tuesday morning.

APPENDIX.**Committee Reports.**

Committee Room,

Austin, Texas, August 27, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 1, Making an appropriation to pay the contingent expenses

and mileage and per diem of members and per diem of officers and employees of the Third Called Session of the Forty-third Legislature.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

SECOND DAY.

Senate Chamber,

Austin, Texas,

August 28, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Fellbaum	Russek.
Purl.	

Senators Excused.

On motion of Senator DeBerry, Senators Russek, Fellbaum and Purl were excused.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Holbrook.

Bills and Resolutions.**Senate Bill No. 2.**

Senator Rawlings sent up the following bill:

S. B. No. 2, A bill to be entitled "An Act ratifying, confirming and validating all bond and tax elections and the proceedings therein and preliminary thereto and the bonds issued or to be issued in pursuance thereof and the tax levies made and to be made for the payment of such bonds in all cases where any such

bond and tax election has heretofore been held in any independent school district (created by special Act or under the General Law) or in any common school district, and where the proposition for the issuance of such bonds and the levying of such tax has carried at such election, and where the proceedings for any such election were irregular or defective in that no petition, or no legally sufficient petition, was filed requesting the ordering of such election, or in that the order or resolution of the board of trustees or board of education or other governing body calling such election and the notice given of such election and the proposition submitted at such election for the issuance of the bonds, either or all, did not specify or distinctly specify the maturity dates of the bonds to be issued, or where there was any other irregularity or defect in or connected with such election or the proceedings preliminary thereto; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

S. C. R. No. 1.

Senator Redditt sent up the following resolution:

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring:

That the Commissioner of the General Land Office be authorized to permit the United States Forest Service, now engaged in the reforestation and conservation of the pine forests of East Texas, to make examinations of the records of the General Land Office free of charge, and to compile such sketches as may be required for a resurvey of the areas involved, the work to be done under the supervision of the Commissioner of the General Land Office; and that the said commissioner be required to furnish translations of such titles and copies of such patents as may be required to pass titles to the land within the reforestation areas, such copies to be supplied free of charge.

Provided, that the employees of the United States Forest Service be subject to the rules and regulations of the Land Office, and the pains and penalties of the Penal Statutes controlling its operations.

REDDITT.

Read and referred to the Committee on Public Land and Land Office.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Department,

Austin, Texas, August 28, 1934.

To the Texas State Senate:

I ask the advice and confirmation by the Senate in the appointment of emergency notaries public named in the attached lists.

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

House Bill No. 2.

The Chair laid before the Senate on second reading House Bill No. 2.

H. B. No. 2, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand dollars, or so much thereof as may be necessary out of the General Revenues, to pay the per diem and mileage of members, the per diem of employees and the contingent expenses of the Third Called Session of the Forty-third Legislature of the State of Texas."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Fellbaum Russek.
Purl.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 2 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Fellbaum Russek.
Purl.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Fellbaum Russek.
Purl.

Correction to Caucus.

On motion of Senator Woodruff, the Caucus Report was changed from 1500 copies of the Journal to 2600 copies of the Journal to be printed.

The motion was unanimously adopted.

Senate Bill No. 2.

On motion of Senator Rawlings S. B. No. 2 was ordered printed in the Journal.

By Senator Rawlings. S. B. No. 2.

A BILL**To Be Entitled**

An Act ratifying, confirming and validating all bond and tax elections and the proceedings therein and preliminary thereto and the bonds issued or to be issued in pursuance thereof and the tax levies made and to be made for the payment of such bonds in all cases where any such bond and tax election has heretofore been held in any independent school district (created by special Act or under the General Law) or in any common school district, and where the proposition for the issuance of such bonds and the levying of such tax has carried at such election, and where the proceedings for any such election were irregular or defective in that no petition, or no legally sufficient petition, was filed requesting the ordering of such election, or in that the order or resolution of the board of trustees or board of education or other governing body calling such election and the notice given of such election and the proposition submitted at such election for the issuance of the bonds, either or all, did not specify or distinctly specify the maturity dates of the bonds to be issued, or where there was any other irregularity or defect in or connected with such election or the proceedings preliminary thereto; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In all cases where an election has heretofore been held in any independent school district (created by special Act or under the General Law) or in any common school district for the purpose of authorizing the issuance of the bonds of such school district and the levying of a tax for the payment of such bonds, and where the proposition for the issuance of such bonds and the levying of such tax has carried at such election, and where the proceedings

for such election were irregular or defective in that no petition, or no legally sufficient petition, was filed requesting the ordering of such election, or in that the order or resolution of the board of trustees or board of education or other governing body calling such election and the notice given of such election and the proposition submitted at such election for the issuance of the bonds, either or all, did not specify or distinctly specify the maturity dates of the bonds to be issued, or where there was any other irregularity or defect in or connected with such election or the proceedings preliminary thereto, any and all such elections and the proceedings therein and preliminary thereto and the bonds issued or to be issued in pursuance thereof and the tax levies made and to be made for the payment of such bonds are hereby completely ratified, confirmed and validated in all respects, and such bonds are hereby constituted the valid obligations of such school district.

Sec. 2. The great importance of this Act and the fact that extensive programs for the construction of school buildings are being delayed, hindered and imperiled by the irregularities specifically mentioned in Section 1 hereof and by other irregularities, by reason of the obstacles thus presented to the sale of such bonds to the Public Works Administration of the United States Government and others and to the making of grants by such Public Works Administration, and the further fact that the speedy removal of such obstacles by this Act will be a great and immediate help in the relief of unemployment and in the stimulation of manufacture, business and industry, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, August 28, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 2, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand dollars, or so much thereof as may be necessary out of the General Revenues, to pay the per diem and mileage of members, the per diem of employees and the contingent expenses of the Third Called Session of the Forty-third Legislature of the State of Texas."

H. C. R. No. 2, Inviting the Hon. James V. Allred, Democratic nominee for Governor of Texas, to address a joint session of the House of Representatives and the Senate.

H. C. R. No. 3, Inviting the Hon. William McCraw, Democratic nominee for Attorney General of Texas, to address a joint session of the House of Representatives and the Senate.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bill Referred.

H. B. No. 2, referred to the Committee on Finance.

Resolutions Referred.

H. C. R. No. 2, referred to the Committee on State Affairs.

H. C. R. No. 3, referred to the Committee on State Affairs.

Adjournment.

On motion of Senator Holbrook, the Senate, at 11 o'clock a. m., adjourned until 10 o'clock a. m. Wednesday.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, August 28, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 1 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, August 28, 1934.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 2, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand dollars (\$100,000.00), or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of members and the per diem of officers and employees of the Third Called Session of the Forty-third Legislature and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

THIRD DAY.

Senate Chamber,
Austin, Texas,
August 29, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Fellbaum. Purl.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Martin.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.**Senate Resolution No. 2.**

Senators Woodruff and Cousins sent up the following resolution:

Whereas, The Hon. George Hopkins, former Senator from the Denton District, and the Hon. Allan Shivers, Senator-elect from the Sabine District, are within the bar of the Senate; therefore, be it

Resolved, That they be extended the privileges of the floor, and that they be invited to address the Senate.

WOODRUFF,
COUSINS,

Read and adopted.

The Chair appointed Senators Pace and Woodruff to escort Senator-elect Shivers to the platform, where he briefly addressed the Senate.

Senate Resolution No. 3.

Senator Woodruff sent up the following resolution:

Whereas, the distinguished Senator Fellbaum of the San Antonio District is absent from the session on account of illness; therefore, be it

Resolved, That we greatly deplore the Senator's illness, wish for him a speedy and complete recovery of his good health, and an early return to his desk in the Senate.

Read and unanimously adopted.

Senators Excused.

On motion of Senator Murphy, Senator Purl was excused for the day on account of business. Senator Fellbaum was excused on account of illness.

Message from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message: